

**COMMISSION CONFERENCE****FEBRUARY 5, 2002**

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Present: Mayor Naugle  
Commissioners Hutchinson, Katz, Moore, and Smith

Also Present: City Manager, City Attorney, City Clerk, and Police Sergeant

#### **IV – City Commission Reports**

##### **1. Bus Transportation**

Commissioner Smith noted that the Commission had made a commitment to try to find ways to make mass transit more convenient, such as efforts to work with the FEC Railway and support for Greenway projects. As his contribution, Commissioner Smith had parked his vehicle for a week and tried all the different modes of public transportation. He presented a video he had produced during his investigation.

Mayor Naugle advised that he had used the public bus system for three years, although he had not produced a film. Commissioner Smith had found the Broward County Transit buses to be clean and nice, although the Tmax had not been as inviting with small windows and doors. He had been able to reach his destinations on time, although waiting for the bus had been somewhat tedious because they were not very frequent. Commissioner Smith wanted to make sure the City's representatives in Congress understood the magnitude of local efforts to further mass transit by letter seeking funding assistance.

**Action:** As discussed.

#### **I-A – City's Aquatics Complex and Swimming Hall of Fame**

A discussion was scheduled on policy options pertaining to the funding and development of the City's Aquatics Complex and Swimming Hall of Fame. The City Manager recalled that the Commission had instructed staff to examine the various options that were available to upgrade the Aquatics Complex, and he introduced Mr. Chuck Adams, Redevelopment Services and Marine Facilities, to make the presentation. Mr. Adams introduced representatives from the Beach Redevelopment Advisory Board, Keith & Schnars, and several developers. He noted that three options had been suggested.

Mr. Adams said that one option was to proceed with a publicly funded approach, relying completely on public resources and public redevelopment of the current Swimming Hall of Fame site, which would preclude the need for any private uses on the site. However, it would also necessitate use of most of the tax increment dollars projected at this time. Another option was to proceed with negotiating a private/public partnership, providing all or most funding for public improvements and facilities through private funds and resources, including successful negotiations for a land exchange and development of D.C. Alexander Park. Mr. Adams advised that the third option was to proceed under a competitive Request for Proposals (RFP) approach to solicit other private/public partnership proposals. He explained that policy direction from the City Commission was necessary.

*Mr. Ron Mastriana*, representing Ocean Club, displayed a photograph of the old Casino pool on the D. C. Alexander Park site, along with a rendering of the proposed development. He displayed a proposed site plan and pointed out the location approved for a proposed 16-story building. He pointed out the area for a swimming complex, with parking between it and the private development. Commissioner Smith inquired as to the number of parking spaces envisioned, and Mr. Mastriana replied there would be approximately 1,200 spaces, with 300 specifically designated for the swimming complex. He believed that everything staff felt was necessary for the swimming complex could be accommodated with this proposal. Mr. Mastriana believed it could be constructed at a cost of \$15 million to \$18 million, which was the amount the Ocean Club would provide.

Mr. Mastriana recalled past discussions and concerns about the Boat Show. He pointed out that the Boat Show could be accommodated. He also advised that there was a letter in the heirs of the D.C. Alexander Estate that endorsed this proposal. There had also been a concern involving the State because there was an unusual deed reservation grant involved. Mr. Mastriana said that research into this issue had been conducted, and no problems were not foreseen in terms of this type of transaction with the State.

Commissioner Smith understood there were some restaurant and retail uses. Mr. Mastriana agreed the first floor could accommodate such uses. Commissioner Smith thought there had been some discussion about moving Burt and Jack's Restaurant to this location. Mr. Mastriana advised that an opportunity had arisen, but he did not know yet if a full-blown restaurant would make sense as compared to smaller retail uses.

Commissioner Smith recalled discussion about the crossover on Seabreeze Boulevard. Mr. Mastriana had discussed it with Keith & Schnars, and the City had executed an air rights lease in connection with the Galleria Mall some years ago at 24<sup>th</sup> Avenue and Bayview Drive. He stated that span exceeded that which would be necessary in this case. Commissioner Smith wondered if the dive pool would be viable in the proposed location due to wind conditions. *Mr. Tim O'Brien*, the Diving Coach, did not expect wind to be a factor. He said the dive pool appeared to be sheltered.

Mayor Naugle noted that the diving pool would be elevated about 20'. Mr. O'Brien said he would have to examine it a little more closely. Mayor Naugle understood these types of facility were typically constructed at grade. Mr. Stu Marvin, Parks & Recreation Department, explained that the entire facility would be elevated 20', so it would seem level except for the dive towers themselves.

Commissioner Smith advised that there had been concerns in the community about access to the Intracoastal Waterway. Mr. Mastriana advised that a boardwalk could be included. Mayor Naugle inquired about the overall height of the condominium/hotel. Mr. Mastriana stated that the zoning permitted a height of 150', although the design called for the same height as the height of the Venetian Condominium at 160'. *Mr. Don Zimmer*, Architect, explained that the building had been drawn with 18 stories over 2 levels, but everyone had wanted it to match the Venetian Condominium. Mayor Naugle asked about the setback from the Intracoastal Waterway, and Mr. Zimmer stated that 20' or half the height of the building was required. He believed the setback was 35' from the seawall.

*Ms. Shirley Smith*, representing the Beach Redevelopment Advisory Board, stated that the Board had considered four alternatives at its meeting of November 19, 2001. She advised that the Board recommended proceeding with either Alternative 1 or 2 because both utilized only the site of the existing aquatic complex. She explained that the Board felt the development should be done exclusively with public funds and no private involvement.

Ms. Smith said that D.C. Alexander Park was the only significant green property on the beach that was owned or controlled by the City. Further, the Board believed that the existing aquatic complex site was large enough to accommodate a facility of international standards. Ms. Smith pointed out that numerous residential projects in the beach area had recently been constructed, and others were under construction or in the approval process. She felt those that were ultimately built would bring thousands of cars to the beach, and the Board did not want to further aggravate the problem with construction of another high-rise condominium building. Ms. Smith pointed out that the Board's recommendation in this regard had been unanimous, although it was composed of strong-minded individuals who did not always agree.

*Ms. Anitra Lanzi*, representing the Marina on the north and south sides of the aquatic complex, did not endorse or oppose any of the alternatives suggested. However, she wanted to make sure that the Commission was aware the Marina depended upon an agreement with the City and developers of the Club Regent property for its parking. She stated that 44 cars were allowed on that development property, but only 22 were being used now because it had not all been developed. Ms. Lanzi wanted to ensure the impact of developing this site would not violate the Marina's contract rights.

*Mr. Chuck McKirahan*, Architect, felt that since this was such a significant piece of public property, the RFP process should be followed if any public/private effort was considered. He acknowledged that a good proposal had been presented, but he did not know if it was the best proposal that could be offered. He did not believe a 60- to 90-day delay would make such a difference in light of the fact that whatever was developed would probably be there for the next 100 years.

*Mr. Tim Schiavone*, of the Beach Council, said he was speaking as an individual because the Council had elected against taking a position on this issue because there had not been enough information. As a business owner in the area, however, he was beginning to think a joint venture would make more sense. He pointed out that a facility that met international aquatics standards was necessary in any case, and a proposal that would not cost the taxpayers would be beneficial to the community. Mr. Schiavone thought this would be a beautiful project.

Commissioner Moore understood the Beach Redevelopment Advisory Board recommended a public development of the swimming complex. He asked if there were any recommendations about the funding source. Ms. Smith thought a bond issue might be a possibility, and the City was operating the Hall of Fame already other than the museum. Mayor Naugle thought there had been a suggestion that the tax increment funds would be used. Commissioner Smith asked if any estimates had been developed. Mr. Adams advised the City's consultant estimated the cost at \$21 million, and the developer estimated \$18 million.

Commissioner Katz thought the City's cost would vary depending on the size of the museum or if there was a museum at all. Therefore, she believed the cost could go down. Mr. Adams agreed the cost of the museum was estimated at \$4.5 million. Commissioner Smith felt everyone knew government projects cost more, and Mr. Adams agreed that was a probable assumption. Further, the proposal that had been presented was possibly predicated on the economics of a taller building.

Commissioner Moore had heard conflicting information about the amount of open space. He inquired about the acreage of D.C. Alexander Park now and the projected area of open space. Mr. Adams stated that the Club Regent property was approximately .79 acres, and Alexander Park was approximately 1.92 acres. He said there would be about  $\frac{3}{4}$  of an acre of open space under Option 3. Mr. Mastriana said it was important to the heirs of the land that the Park be maintained. It would be maintained and landscaped. Mayor Naugle believed it would be a significantly smaller area than that which was currently known as D.C. Alexander Park. He explained that there were two parcels, including the parking lot and the old water tower site.

Mr. Mastriana stated that the area of green space under the proposal would be similar to the amount existing today because the 1.29 acres included the parking area. Mayor Naugle needed a diagram. Mr. Mastriana pointed out D.C. Alexander Park on a diagram and advised that it included the parking area that was there now, and it measured 1.29 acres. The other portion was .79 acres. Mayor Naugle inquired about the boundary of the Ocean Club, and Mr. Mastriana pointed it out. Mayor Naugle believed about half the green space would be lost. Commissioner Smith disagreed.

Commissioner Katz had two concerns. The first was that she would not want to use all of the tax increment funding because there might be other projects that needed funds. Further, she was concerned about the financing. Mr. Mastriana advised that all that information would be provided during the process, but this project involved one of the biggest financial organizations in the United States. He distributed several brochures that listed some information, but all the financial data would be presented if the process moved forward.

Commissioner Smith said this was a difficult issue for him because it was so controversial in his district. He thought the City needed to move ahead quickly because Fort Lauderdale had allowed this swimming complex to slip away due to political differences on the Commission. He felt it was being stolen, and if there were much of a delay, Fort Lauderdale's facility would be a "Johnny come lately" with a second facility. Commissioner Smith pointed out that tourism was the City's chief industry, and that took place at the beach. He noted that a lot of condominiums were being built, but there was no focus on the fact that the beach was where everyone around the world wanted to visit. Commissioner Smith felt the focus should be on hotels and tourism.

Commissioner Smith advised there was a vision for the beach that he, the Beach Council, and the Beach Redevelopment Board had worked hard on, which contained a lot of components. There had been discussion about an amphitheater and a trolley, and he did not want to use all the tax increment financing because there would be no money left for all of the other features. Commissioner Smith said he had tried to find a way not to like the proposed project, but it seemed to win on all counts. He preferred to lose a condominium and gain a hotel, and it would cost the taxpayers \$20 million to simply build the aquatics facility. Commissioner Smith preferred to leave tax money alone for other initiatives.

Commissioner Smith thought the proposed project would allow greater public access, and part of the problem he had with the Hall of Fame today was that he had never felt welcome. He viewed as something of a “closed club,” but this would provide a public facility for everyone. Commissioner Smith believed it would become as it was in the 1930s – the public’s aquatic facility. He understood there would be no density increase, and no expenditure of public funds would be necessary. Commissioner Smith thought the Commission should ask the City Manager to work towards bringing the project to fruition. As the district Commissioner, he hoped for a unanimous vote to retain the world aquatic facility at Fort Lauderdale.

Mayor Naugle could tell Commissioner Smith was frustrated about the loss of the Hall of Fame, and he hoped it could be moved to the north side of Las Olas Boulevard. He thought that had been a good plan to get someone else to pay for it, but that had not occurred. Mayor Naugle did not believe the public wanted a 204-unit condo/hotel on public land on the Intracoastal Waterway. He did not think that was what the people had in mind when they purchased their homes across the water in the Idlewyld neighborhood. Mayor Naugle thought it was clear there would be a loss of open space, and a triple variance would be necessary for the elevated pedestal. Further, one would have to go up a couple of flights of stairs to reach the pools, and he did not think the use would be compatible with the Boat Show.

Mayor Naugle said the residents he had spoken with did not support the idea of another tower, particularly on public land. He was not happy about having to spend tax increment funds either, but projections indicated the project could be funded in that fashion. Mayor Naugle was also hopeful Fort Lauderdale could attract some other grants or funding for the aquatics complex. He supported the plan unanimously endorsed by the Beach Redevelopment Advisory Board and recommended by staff.

Commissioner Moore was happy the private sector was interested, but he was concerned about D.C. Alexander Park. He said he had never appreciated the purchase of the Hyde Park Market site, but \$6 million had been made available for open green space. He preferred to use that money on the beach, and he thought more of the public would support that project than the Hyde Park site project. Commissioner Moore pointed out that the Stranahan House did not bring the international community to Fort Lauderdale, and it did not attract thousands of visitors.

Commissioner Moore felt it would be in the City’s best interests to use the \$6 million to deal with D.C. Alexander Park, so the height of whatever project was built would not have to be too great to make it financially feasible. He thought it would make sense to use public dollars in a public manner to help the economy, provide open space, and minimize impacts to surrounding properties. Mayor Naugle requested clarification. Commissioner Moore understood \$6 million would come from the State, and the other \$2 million had been donated so that would not be available.

The City Manager believed Commissioner Moore was referring to a grant, for which an application had been submitted, and 40% could be used toward acquisition of property if there were willing sellers. He did not know if the money was transferable or if it was project specific, but he thought it probably was because there had been a competitive process involved.

Commissioner Moore believed the grant was for open green space, and that applied to D.C. Alexander Park. He thought the money could be used to allow for more open space and reduce the building height. Mayor Naugle was not sure what the \$6 million would be used for since the land was already public. The City Manager reiterated that the grant was for acquisition, and he had been advised that the grant was project specific. Therefore, the monies were not transferable under the terms of that particular program. Commissioner Moore wondered if the beach project could be substituted if the property owner was not willing to accept the City's offer for the market site. He was hopeful the money could be used for park development. The City Manager said the information he had received indicated it could be used for acquisition only, but he could have some calls placed to verify that information.

Commissioner Hutchinson liked the concept that had been presented, but she did not care for the pedestal. She did not care for 16 stories, and she also preferred a hotel to a condominium. Commissioner Hutchinson thought the City could build the aquatic facility but not for \$18 million. She agreed it was time to deal with this facility as a swimming capital of the world. Commissioner Hutchinson was not opposed to the project, although she felt it should be refined. She also believed the public wanted a swimming facility, and it was time to move forward. Commissioner Hutchinson viewed this as an opportunity to see if this type of concept was workable, but it would still have to come back to the Commission.

Mayor Naugle asked Commissioner Hutchinson how she felt about opening the opportunity to other parties instead of entering into an agreement with one developer now. He understood the City Attorney felt the City could legally do that. Typically, if there was interest in development, the City allowed others to compete for the opportunity, and Mayor Naugle was not comfortable going forward with a single entity without a bidding process. Commissioner Hutchinson had no preference in that regard. She wanted to explore the possibility of this project though.

Commissioner Smith wondered if the project could be scaled down and only some of the tax increment monies used in order to reach consensus. Commissioner Katz felt that for every benefit of a public/private effort, there was also a drawback. She believed that there would be a large building either way along the Ocean or along the Intracoastal Waterway. Commissioner Katz liked this idea, but she believed it would take a long time, and she preferred that the City just build the aquatics facility to meet international standards. She believed there were probably other funding possibilities, too, besides using all the tax increment money. Commissioner Katz also did not agree with Commissioner Moore's idea because she felt green space was needed downtown, too.

Commissioner Moore felt there should be an RFP process anytime public land was involved. He did, however, feel some consideration should be given to the fact that this developer owned land adjacent to the public land, perhaps with extra points for that issue. Mayor Naugle noted that there were also other contiguous properties, and Commissioner Moore felt they should receive the same consideration if tax increment monies were to be used. He also believed the project would take place much more quickly than if the City had to search for a funding mechanism.



Commissioner Moore suggested formation of a Safe Neighborhood District in this area to use a special assessment for bonding purposes. He had no objection to exploring such possibilities, although he thought the Beach Redevelopment Advisory Board probably felt the whole City should finance it. Ms. Smith agreed the whole City would use it. Mayor Naugle understood Commissioner Moore to be suggesting some type of special taxing district on the beach. Ms. Smith said that the Board would discuss any possibility. Commissioner Moore understood the Board wanted to keep this publicly owned and leave private involvement out of the equation. If this concept would, in fact, be beneficial to businesses on the beach, he thought the property owners might be willing to assess themselves to accomplish the project.

Commissioner Smith wanted tomorrow's headlines to read "Fort Lauderdale Grabs Back Swimming Facility." Mayor Naugle had not been aware it had been lost. Commissioner Smith felt this image needed to be corrected. He thought there was consensus to provide a short "window" for the City Manager to explore this concept, to be further refined by the Commission. Mayor Naugle felt the City Manager would need more direction. He asked if there were three Commissioners who supported a scenario in which there was a land swap and some type of tower. He sensed there was consensus to go forward with the idea, although he did not favor that action. Commissioner Hutchinson wanted to allow the City Manager to explore it.

Commissioner Katz wanted the City Manager to explore the idea of a public project. Commissioner Smith was willing to consider something like that if it did not involve taxing all the citizenry to build something a hotelier was willing to build, such as a special taxing district. Commissioner Moore wanted the City Manager to explore the possibility of a transfer of the grant for the downtown project to a beach project. There was not consensus to proceed in that direction. Commissioner Moore desired the information for himself. There were no objections. It was the consensus to ask staff to explore both a public/private and a public only venture.

Mayor Naugle noted that a decision would have to be made on whether or not there would be a museum at some point because it might end up in another community. Nevertheless, Fort Lauderdale would still have a world-class facility, with or without a museum. Commissioner Hutchinson asked if there was some rationale behind the 1,200 parking spaces. She wondered if the parking could be reduced to leave more green area.

Mayor Naugle stated that there were about 100 spaces for the aquatic complex now, and this project proposed 300, so it appeared parking could be reduced, particularly since the City wanted to encourage the use of mass transit facilities. He thought that might be a way to eliminate the 600' pedestal. Commissioner Moore thought it might be difficult to keep sand out if the pool was constructed at ground level. Commissioner Smith felt 20' might be enough. Mayor Naugle believed there was a consensus to consider other options in place of some of the parking.

Commissioner Katz understood there might be funding options involving tourist development funding since this would be a tourist destination. Commissioner Smith thought anything was possible. Mayor Naugle thought that might be a possibility if a group of cities that were currently "locked out" of the tourist tax worked together, although it would be very difficult. Nevertheless, he understood Miami Beach was a direct recipient of bed taxes.

The City Manager thought he would need at least 60 days to pursue all the ideas that had been mentioned today. He said he would send out a Friday memo outlining a time frame for the kind of job that would be necessary.

**Action:** As discussed.

**I-B – Marine Industries Association of South Florida (MIASF)  
Marine Industry Master Plan**

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A presentation was scheduled about the MIA SF Marine Industry Master Plan prepared by the Joint Center for Environmental and Urban Problems at Florida Atlantic University (FAU), in partnership with the Urban Harbors Institute of the University of Massachusetts Boston. *Mr. Frank Herhold*, Executive Director of the MIA SF, distributed an executive summary of the Marine Industry Master Plan. He advised that two consultants had participated, and he introduced *Mr. Jim Murley*.

Mr. Herhold stated that this was a unique plan reached through several Marine Industry Summits. He thanked the Economic Development Department staff for their assistance in the effort. Mr. Herhold explained that the Plan had been prepared to provide a comprehensive and coordinated action agenda for retaining and expanding the marine industry in Fort Lauderdale and Broward County. He pointed out that waterfront property for marine purposes was being lost, and many marine industries being attracted to other communities. Mr. Herhold stated that this involved Fort Lauderdale's hometown industry, which had an economic impact in Broward County was in excess of \$8.8 billion.

At 3:30 P.M., Commissioner Moore left the meeting. He returned at 3:33 P.M.

Mr. Murley explained that the summary outlined specific measures that should be addressed by the City to preserve and enhance the marine industry. He stated that those measures involving siting, workforce development, education, and marine industry image. Mr. Murley felt that maintaining the sites that already existed was as important as attracting new assets. He advised that there was an international demand inherent in the marine industries. Further, 43% of the economic impact came from the service and repair of boats. Mr. Herhold added that over 900 megayachts visited this area each year, and 800 of them spent some time in area boat yards. Mr. Murley advised that various communities were recognizing the importance of this market and building facilities to accommodate them, including Miami Beach, which was constructing 48 new slips for megayachts.

Mayor Naugle believed the report requested an endorsement by the Commission and requested that the City Manager be instructed to start implementing as many of the recommendations it contained as possible within the City.

Commissioner Katz thought it was a great idea to have a master plan and agreed it was important for Fort Lauderdale to compete in this industry. However, there was a suggestion to amend the Comprehensive Plan to improve provisions and features of marine facilities. She wanted to ensure it would not encourage altering current dockage conditions in residential neighborhoods. Commissioner Katz wanted neighborhoods to be protected from any undue commercial ventures in residential areas. Mr. Murley advised that such sentiments had been heard throughout the process, and the recommendations were sensitive to those issues.

Mayor Naugle believed there was already language in the Comprehensive Plan that protected residential neighborhoods. He thought Commissioner Katz was probably thinking of those who performed major boat repairs behind their homes, but no one was recommending that type of activity. Commissioner Smith did not think anyone was suggesting converting residential land to industrial uses.

Commissioner Moore understood 13 sites had been mentioned. Mr. Murley agreed and noted that the specific locations were contained in the full report, and a copy had been provided to staff. However, each would require careful evaluation. Mayor Naugle suggested a separate discussion on those sites, and the City Manager advised that a follow-up workshop could be scheduled in this regard.

Commissioner Smith wondered if there had been an opportunity to “think outside the box” during the process. He asked if it was feasible to ask the State to raise the heights of bridges, for example, to open other waters to boaters. Mr. Herhold replied that there had been input from all aspects of the community. Commissioner Smith said he was willing to consider some creative approaches.

Mayor Naugle said he had a copy of the materials used for the recent presentation at the Marina Marriott, but he felt the Commission should conceptually approve the Master Plan. He also asked that a future agenda provide a list of the 13 sites under “Conference Reports” so the Commission would have time to study and discuss it. He did not want to rush to endorsement of any specific sites without further consideration. Mr. Murley added that the existing sites were even more important because they were already in competition with other facilities.

**Action:** Approved as discussed.

### **I-C – Tri-Rail Double Tracking Project**

A presentation was scheduled by Tri-Rail on its projects to construct a new bridge over the South Fork of New River, as requested by Mayor Naugle. Mr. Dennis Girisgen, Engineering Division, recalled that the Commission had discussed this project in April, and Tri-Rail was completing its environmental assessment report. He stated that a public hearing was scheduled for February 7, 2002 at 7:00 p.m. at the Hilton Fort Lauderdale Airport. Mr. Girisgen said a mid-level bridge was one option being considered, with a clearance of about 40'. The other option was a swing bridge with a 56' clearance.

Mr. Girisgen reported that a meeting had been held with representatives of the area homeowners' association, and Tri-Rail would work with the City to minimize construction impacts. He introduced *Mr. Mark Pistiner*, the Senior Project Manager representing Tri-Rail.

Mr. Pistiner explained that Tri-Rail was in the process of double tracking, and this one small piece over the River had not yet been started. He stated that the intent was to improve service to Tri-Rail's customers by maintaining a 20-minute headway. In addition, it was necessary to address the number of closings at the existing bascule bridge over the South Fork of New River. He said there were about 13 times a day now, and it was projected that it would have to open and close some 30 times a day in the future. Mr. Pistiner described the project boundaries, and he reported that the environmental and engineering reports had been completed, and analysis confirmed that the corridor adjacent to I-95 was preferred.

Mr. Pistiner said that the existing bascule bridge would remain because the CSX Railway would not be able to utilize the slopes necessary for either the mid-level or the high-level bridge. He noted that was used about 2 or 3 times each night. He advised that a design/build contract would be utilized, so he did not yet have the design concepts in terms of the appearance of the new bridge. He expected construction of the bridge to commence in December with completion scheduled for August, 2005.

Mayor Naugle understood the long freight trains would remain at grade so noise would not be projected out over the surrounding area. He felt that would also result in less pollution as well.

Commissioner Hutchinson had seen this concept many times, and people from the surrounding neighborhoods had been invited to see the concept as well. She thought the community had "missed the boat" way back when the I-95 Bridge had been constructed in terms of a noise wall for Flamingo Park. She believed that had been due to the small commercial strip in that location. It was her understanding that the Florida Department of Transportation (FDOT) had not constructed a noise wall because that small area was not contiguous to residential property. Commissioner Hutchinson said there was a tremendous noise impact from I-95 in the Flamingo Park neighborhood, particularly the waterfront homes.

Commissioner Hutchinson did not think the neighborhood objected to the double tracking of the Tri-Rail, but they were concerned about the construction process. She wondered how the contractors would access this area during construction, and she understood the FDOT was a partner in the project and owned much of the right-of-way. Commissioner Hutchinson asked if the City would have any control and wondered if the construction could be staged off State Road 84 or along Davie Boulevard on the frontage road. Mayor Naugle understood she was concerned about the employees, equipment, etc., needed during the construction. Commissioner Hutchinson agreed that was the issue.

Mr. Pistiner said that employees would likely be provided parking at the Tri-Rail Station and brought in by rail. He added that the narrowness of the Tri-Rail right-of-way would preclude parking because cars had to be a certain distance from the rails. Mr. Pistiner believed the contractor could also make some arrangement with area businesses for parking. Commissioner Smith asked if a performance bond could be included in the contract in case there were violations. Mr. Pistiner said he could look into it. Commissioner Hutchinson said there had been discussions about including certain language in the design/build contract to prevent these sorts of difficulties.

Mr. Greg Kisela, Assistant City Manager, believed the design/build contract could be crafted to address concerns, and there would be incentives as well for performance. Mayor Naugle wanted a letter from the City in this regard for the record. He also wanted to stress that businesses, including marine businesses, could not be impacted. Mr. Pistiner did not expect the project to affect commerce on the River at all because there would be no work in the channel. Commissioner Smith inquired about night work, and Mr. Pistiner felt that was possible, but the bids would provide information about how a contractor proposed to complete the project.

Commissioner Smith asked if a noise study would be performed. Commissioner Hutchinson understood there would be a noise study, but it would not relate to construction at night. Rather, it related to the noise from trains.

Mayor Naugle asked if there were any other concerns to include in a position paper to make a part of the public record. Commissioner Hutchinson wanted to read it before it was sent. The City Manager said he would bring back a draft. He also wondered if the design/build approach had been used successfully for this type of construction elsewhere. Mr. Pistiner replied that Tri-Rail currently had a \$240 million design/build contract with one company. Mayor Naugle wanted to add to the letter that the City desired input as to the final design.

Commissioner Moore did not understand why this was necessary. Mr. Pistiner explained that the existing bridge would have to open and close 30 times a day to handle all the trains. He stated that ships had precedence over the train, and one unexpected closure could throw off the entire train schedule. Mr. Pistiner added that the cost of the project was estimated at \$40 million.

**Action:** Approved as discussed.

### **I-D – Community Area Planning (CAP) Area 1 Report**

A discussion was scheduled on the status of the CAP Area 1 accomplishments and proposed funding strategy. Mr. Chris Wren, Community Planning Manager, said this area was also known as the Central Area, and the Commission had approved 17 goals and 56 improvements in the district on April 5, 2001. It had also asked staff to explore funding options. Mr. Wren advised that the completion dates for most of the recommendations had ranged from 2002 to 2007. However, many of the goals had been initiated, and even completed, ahead of schedule. The remaining goals were unfunded at this time. He expressed appreciation to the staffs of the Police Department, the Community Inspections Bureau, the Engineering Division, the Public Services Department, Construction Services, the Parks & Recreation Department, and Community Development.

Mr. Wren reported that three of the projects had been considered not feasible and eliminated from the list, and about 29% of the overall package needed funding. He explained that 10 of the projects still had to be researched and evaluated. Mr. Wren stated that various funding strategies had been considered, including special assessments, establishment of Safe Neighborhood Districts, and establishment of Neighborhood Preservation and Enhancement District. He described how each of those processes worked. Mr. Wren noted that this method could be used for some of the capital improvements, but it could not be used to fund the operational and maintenance goals.

Mr. Wren advised that a Safe Neighborhood Improvement District (SNID) had been used in the Sunrise Key area, but that was a much smaller area than the Central Area. He stated that this process allowed a levy of up to 2 mills annual for capital, operation and maintenance goals of the district. He advised that the district could also impose special assessments of up to \$500 for each parcel per year to support planning and implementation of district improvements and reasonable expenses of operating the district. Mr. Wren added that this method required approval by the majority of voters in the area.

Mr. Wren stated that a financial analysis had been provided to illustrate a possible short list of goals and operational costs under the ad valorem tax method and the special assessment method. He advised that regular meetings had been held with the Citizens Committee, and there were a lot of concerns about people on fixed incomes, retired or unemployed. As a result, an annual cost of \$50 to \$100 had been discussed. Therefore, additional discussions had been generated about paring down the list of suggested improvements, and staff had generated such a list with projected costs. Mr. Wren noted the eliminated items included a community center, police officers, and midtown infrastructure, but brought the cost to property owners down to the range considered feasible by the community.

Mr. Wren reported that staff had also considered the Neighborhood Preservation and Enhancement Program (NPED), but it only provided one of the funding mechanisms of the SNID. He said that staff believed the SNID provided the best opportunity and method of achieving the goals of the CAP Area 1 Plan. Mr. Wren advised this would allow the Commission to tailor the district powers to the CAP Program.

Mr. Wren recommended that staff continue to work with the Area 1 Community Leadership Committee to determine if there was consensus to form a SNID, including what goals should be funded by a SNID. He stated that this examination would include neighborhood meetings, specifics on each project, a voting forum to ratify a prioritized list of goals and refinement of the cost to implement and operate a district. After this had been achieved, Mr. Wren said the matter would come back to the Commission for final direction on proceeding with the establishment of a SNID.

*Ms. P. J. Espinol*, of the South Middle River Civic Association, said she was a member of the Community Leadership Committee. She hoped the Commission would take the CAP Plan seriously, and she said everyone had worked very hard to put this package together. Ms. Espinol believed the list had been pared down to a workable level, but she was concerned that it would be “put on a shelf.” Since the residents were willing to pay for these things, Ms. Espinol did not think it would be too difficult to move forward.

Commissioner Smith recalled that Commissioner Moore had expressed concerns about this area serving as the “guinea pig” in the CAP process, but he was pleased with out this first area plan had turned out. He thought part of the value of the process was that it gave the citizens an opportunity to tell government how to direct its efforts. Commissioner Smith noted that the neighborhood had identified its priorities, and the first page of Exhibit 1 all dealt with crime. He felt the new Police Chief was doing a good job, but he did not think some of the items on the list should be eliminated off hand.

Commissioner Smith wanted to take another look at the use of vans to allow officers to return to duty quickly after an arrest was made although it had been recommended for elimination. He felt that was appropriate in certain cases, and he did not want “government” to reject such ideas out of hand. Commissioner Smith felt making property owners responsible for cleaning trash from their properties was a real priority in his district, but it might have to be tailored in terms of other districts within Area 1.

Commissioner Smith said that the idea of bringing a “Big Box” store into the area had been discussed for a long time, and the exhibit indicated that had been initiated. However, he did not think the City had made such efforts as aggressively as possible. He had received some correspondence from companies interested in bringing a big box store to the area along Sunrise Boulevard, and he felt staff should work with them to discuss strategies for making that happen.

Commissioner Smith referred to capital improvements. He thought the plan was on the right track, and it appeared the community understood the goals would have to be pared down. However, he wanted this aspect to be handled at a very detailed level to ensure the community wants what was being offered, and he wanted “no improvements” to be considered as an option.

Commissioner Moore did not know that anyone would agree to special taxing in order to address policing issues. He felt that was a concern on which the City should focus, but not through this method. Commissioner Moore believed the only way to change the character of the community was to provide the right infrastructure so property values would escalate. He agreed that crime was the front-running issue, but there were concentrated pockets of crime, and he hoped management would focus on those areas.

Commissioner Moore shared Ms. Espinol’s concerns about the plan not being furthered due to a lack of funding after so much work had gone into the effort. He said he would appreciate a focus to make these plans a reality, but he was concerned about the schedule. Mr. Wren advised that staff could put together an outline, but there were 12 to 15 groups to work with, so he believed that could be presented within 60 to 90 days. Commissioner Moore recalled that the CAP Report had been presented to the Commission several months ago, and he did not want to build expectations within the community unless they would be realized.

Mayor Naugle asked if something could be implemented by October 1, 2002. Commissioner Moore felt that would be acceptable. Mr. Wren said that staff could target that date, but he would bring back an interim report before that time.

Commissioner Katz referred to the different funding suggestions. She thought it would be easier to use the ad valorem tax method because the SNID required a 70% approval rate from the community. She was concerned it would take a very long time to build that kind of support, and it resulted in another layer of government. The City Manager agreed the SNID method was more difficult, but simplicity also made it easier for people to say “no.” He believed property owners also found the ad valorem method more repressive, and it could result in disparate taxes based on property value.

**Action:** Approved as discussed.

## **II-A – U.S.S. Hoga**

A status report was presented on the U.S.S. Hoga’s proposal for a docking location on the New River, as requested by Commissioner Hutchinson. The City Manager advised there had been a great deal of discussion and correspondence about where the Hoga would be docked if it were brought to Fort Lauderdale. He had received a request from Mr. Winer not to discuss the specifics of this today but to set another time for discussion after additional locations could be considered. In addition, the Marine Advisory Board could review the possible alternative locations on March 7, 2002 for presentation to the Commission again on March 19, 2002.

Mayor Naugle desired input from the Marine Advisory Board. Commissioner Katz suggested it also be presented to the Parks, Recreation & Beaches Advisory Board, and Commissioner Smith desired input from the Riverwalk Board. Mayor Naugle felt there should be strict requirements in terms of maintenance, and he thought the hours of operation should be similar to other tourist destinations so people could board. Commissioner Hutchinson was interested in knowing where tickets could be obtained, and Mayor Naugle mentioned parking and traffic as well. He felt there should be a full plan so there would not be opposition. Commissioner Smith agreed there should be full notification of all affected property owners, too, so that everyone would embrace the location.

Mayor Naugle stated that vessels of this nature had been some of the first attractions on Riverwalk, and all that was necessary was the correct docking site. He understood there was opposition to the initial proposal to use a site adjacent to the Performing Arts Center and Esplanade Park. Commissioner Katz asked if a site other than on the New River was a possibility based on the requirements and criteria of the Navy.

*Mr. Ken Ortner*, President of Riverwalk Fort Lauderdale Trust, agreed the City should contact the Navy. Commissioner Hutchinson suggested that a representative from the Coast Guard also be invited to attend the next Commission meeting in this regard and that back-up material from the Navy be distributed.

**Action:** Input to be sought from the Marine Advisory Board, the Riverwalk Board, and the Parks, Recreation & Beaches Advisory Board.

At 4:25 P.M., the meeting was recessed for a closed-door sessions regarding litigation strategy in connection with David Krips (Workers Compensation Case No. WC 98-9730) and Allied Decals and S & L Realty (General Liability Case Nos. GL 95-831 and GL 95-008). In addition, a closed-door session was scheduled for the purpose of collective bargaining strategy concerning the FOPA and health insurance benefits. The meeting was reconvened at 5:05 P.M.

## **II-B – Employment Practices Brochure**

A report was presented on the City's drafted brochure regarding employment practices. Commissioner Katz understood the intent was to mail the brochures to the homes of all City employees, and she thought it might be better to include it with paychecks. Mayor Naugle agreed the envelopes would definitely be opened if they contained paychecks. Commissioner Katz believed every other organizations that set forth policies in this fashion required that their employees sign statements indicating that they had read those policies. She wanted to ensure all employees understood their rights and where to go if they had any problems or complaints. Commissioner Smith supported the idea.

Commissioner Moore did not think signatures could be obtained if the brochures were distributed with paychecks. Commissioner Smith suggested that when employees were hired they be asked to sign such documents. The City Manager said staff had explored the idea of having existing employees reaffirm that they understood these policies. His priority had been to ensure all employees were aware of these policies, and regular training was proceeding. The City Manager agreed sending the brochures with paychecks was a good idea, and signatures could be obtained as training was completed.



Mayor Naugle believed there were similar signed forms in personnel files now. The City Manager said that those who had not yet signed would do so, and new employees would sign upon being hired. He noted that some new issues were also being added, such as protocols when using computers, etc.

**Action:** Approved as discussed.

#### **II-C – Search for Cable Television, Overbuilders and Satellite Providers – Broward Broadband Alliance**

Status Report.

#### **II-D – Joint Meeting City of Hollywood**

A report was presented on the drafted agenda for the joint meeting with the City of Hollywood scheduled for Wednesday, February 27, 2002. Mayor Naugle wanted to add FEC and Transit initiatives to the agenda. Commissioner Moore requested that FPL Substations and the CRA be placed on the agenda. Mayor Naugle was also concerned about “old smoky” at Port Everglades. Commissioner Katz added that funding for beach maintenance and lifeguards be added.

**Action:** Items to be added to agenda as listed.

#### **II-E – Department of Housing and Urban Development (HUD) Conflict of Interest Issues**

A status report was presented about the conflict of interest issues relating to HUD. (Also see Item M-8 on the Regular Agenda). Commissioner Smith asked what action was necessary now. The City Manager explained that he and the Mayor had gone to the Regional Offices of HUD in Miami recently to discuss the issues relating to conflict of interest under HUD regulations. He stated that HUD regulations indicated any appearance or any possibility of any betterment going to anyone who aided in the decision-making process, a conflict of interest procedure was required. Mayor Naugle said that conflicts had to be identified for the public record, and abstaining alone did not necessarily suffice. For an exception, however, HUD wanted to know that conflicts were identified before meetings and advertisements.

The City Manager said that while it had been a particular issue relating to the Milton Jones development that had brought the issue to light, it was a more pervasive problem. He noted that the CRA financial plan included a number of instances in which CDBG monies would be used, and there were any number of projects involving persons who sat on various boards. The City Manager believed an educational process for all the boards and the Commission to ensure against similar situations in the future. He noted that State requirements were not as strict as federal requirements, but the City had to abide by those requirements.

Commissioner Moore asked when the HUD standards had changed. Mayor Naugle thought these requirements had been in place for some time, and the City had just not realized it. Commissioner Moore thought that if that was the case, there must be numerous problems throughout Broward County. Ms. Faye Outlaw, Community Development, believed these requirements had been in place for at least ten years.

Commissioner Smith noted that federal funds were sometimes used to fix medians, for example, and someone on one of the involved advisory boards might own property along the corridor. He wondered if that was a conflict. Ms. Outlaw replied that was a potential conflict. Commissioner Smith believed many individuals only served on such boards because they had an interest in a particular area. Mr. Pete Witschen, Assistant City Manager, explained that the CRA Board was a fairly recent phenomenon. The City Manager agreed the CRA Board had not even existed when the grocery store property had originally been discussed.

Commissioner Katz inquired about Lincoln Park. She recalled a letter from HUD in that regard. The City Manager stated that there was not necessarily a conflict. He stated that there had been some conditions on the use of the monies, but HUD had not had a problem with using the property for government offices. Now, however, there were some concerns that it would not be used for the original purpose, but those issues were still under study. Mayor Naugle understood that matter would be brought to the Commission at a future Conference meeting. Mr. Witschen agreed that was correct. The City Manager added that he would forward copies of his letter to Jack Johnson, of HUD, offering apologies if there had been miscommunications in the past.

**Action:** As discussed.

## **II-F – Proposed Amendment to Florida Statutes Section 506.5131 – Shopping Carts**

A report was presented on a proposed amendment to Florida statutes Section 506.5131, which addressed the regulation of shopping carts by the State and local governments. Commissioner Hutchinson inquired about the logic behind a \$25 fine, which seemed very minimal. Mr. Greg Kisela, Assistant City Manager, explained that in order to increase it, the City would have to substantiate that it cost more than \$25 to collect and store the carts. Mayor Naugle thought \$25 might be a reasonable fine when multiplied by the number of carts collected.

Commissioner Hutchinson thought the object was to keep the carts where they belonged and not have to collect them. Commissioner Katz understood that carts cost over \$700, so \$25 was not much. Commissioner Hutchinson asked if owners were charged now. Commissioner Katz did not believe so. The City collected and stored the carts and called the owners to pick them up.

Mayor Naugle was concerned that if the fine was too high, the legislation would not pass because it would generate too much opposition. Commissioner Smith suggested that the Statute call for a fine of \$25 or whatever was reasonable in light of costs. Mayor Naugle understood the consensus was to make the fine as high as possible to recover costs. Commissioner Smith added that this was the type of work that could be opened to small businesses within the community.

**Action:** As discussed.

## **III-B – Advisory Board Vacancies**

### **1. Beach Redevelopment Advisory Board**

The Commission wished to reappoint Jay Adams, Joanne Johnsen, Steve Tilbrook, John Amodeo, Shirley Smith, Michael J. Grimme, Carol Hill, Pamela Adams, and Linda Gill to the Beach Redevelopment Advisory Board. Commissioner Hutchinson wanted to appoint Eileen G. Helfer.

**Action:** Formal action to be taken at Regular Meeting.

2. Cemeteries Board of Trustees

The Commission wanted to reappoint Sharon Navarro, Sandy Casteel, Robert Powers, Franci Bindler, Joseph Goldberg, Henry Scurry, Richard Kurtz, Kent Bogard, and Susan Telli to the Cemeteries Board of Trustees.

**Action:** Formal action to be taken at Regular Meeting.

3. Community Appearance Board

Commissioner Smith wanted to appoint Robert M. Young to the Community Appearance Board.

**Action:** Formal action to be taken at Regular Meeting.

4. Community Services Board

**Action:** Deferred.

5. Nuisance Abatement Board

The Commission wanted to reappoint Helen Surovek, Caldwell Cooper, Rita Jackson, Harry MacGrotty, and Douglas Reynolds, as regular members, to the Nuisance Abatement Board.

**Action:** Formal action to be taken at Regular Meeting.

6. Unsafe Structures and Housing Appeals Board

**Action:** Deferred.

**IV – City Commission Reports**

2. Officer Scott Neily

Commissioner Katz wanted to publicly thank Officer Scott Neily, of the Police Department, who had treated a case involving the killing of two trees respectfully and seriously. The owner of the property that had been vandalized had been very upset, but Officer Neily had done a great job, and the owner was offering a reward.

**Action:** None.

3. Grants for Trees

Commissioner Katz wanted to continue working with staff to obtain grants for trees for better landscaping on the major thoroughfares and entrances into the City. Commissioner Smith understood staff was close to reaching a plan that would allow a tree farm to grow trees for the City. He requested a report about the landscaping on Sunrise Boulevard. Mayor Naugle desired information about landscaping on Broward and Davie Boulevards as well.

Commissioner Moore said he had asked staff to invite the Secretary of the FDOT to attend a Conference meeting in this regard. He did not think Fort Lauderdale would ever have a good tree canopy if the FDOT kept coming in every few months and cutting trees for projects without plans for replacement. Mayor Naugle wanted the facts first.

The City Manager reported that the FDOT did not propose, as part of its project, to plant trees on Sunrise Boulevard. However, Broward County had committed funds for the purpose. He was awaiting the particulars from the project engineer to determine what gaps might remain. Mayor Naugle did not know why he could not obtain the drawings for the project. The City Manager said he had requested it, and he would make the request again along with a request for a Conference discussion with the FDOT Secretary.

Commissioner Moore had noticed that the FDOT handled projects differently from one neighborhood to the next in different quadrants of the City. Mayor Naugle pointed out that there were no trees on Federal Highway and 17<sup>th</sup> Street either. He wanted to get information about the projects before inviting a discussion with the FDOT because the Commission would be at a disadvantage otherwise. Commissioner Moore said he would be happy if the FDOT indicated it would plant trees instead of paving everything.

**Action:** As discussed.

#### 4. Bike Paths

Commissioner Katz said she had asked that Mark Horowitz, of Broward County, be invited to attend a Conference meeting to discuss bike paths. Mr. Greg Kisela, Assistant City Manager, believed something was being arranged for the Commission's next meeting. Mayor Naugle understood there was a map showing bike paths on a Countywide basis. He believed there were lots of gaps in the system, and he desired a presentation in this regard.

Commissioner Smith was glad to see a focus on bikes as viable transportation. He thought it was time to get creative with the bicycle ordinance, which had been very effective in returning stolen bikes to their owners. Commissioner Smith said that some communities had devised some creative projects for community bicycle use, and he wondered if that might be appropriate along Las Olas Boulevard, for example. He suggested that the transportation ad hoc committee be requested to examine some low-tech solutions like bicycles. Mayor Naugle agreed there were some programs around the country, and it might be useful to start downtown. Commissioner Smith agreed it would have to start in a limited area, and the bikes would have to be identified and tracked.

**Action:** As discussed.

#### 5. Mass Transit Funding

Commissioner Smith wanted to take concrete action on mass transit funding as often as possible, and he thought the support of all elected officials with access to funding should be solicited. He felt it made sense to send a letter making those officials aware of the City's commitment to mass transit and the monies spent on various studies. Commissioner Smith believed if the elected officials were aware of the local commitment, they might be able to direct some funds in that direction. Mayor Naugle understood he was referring to State, County and federal officials, and Commissioner Smith agreed that was correct. Mayor Naugle suggested that the City Manager prepare a drafted letter for Commissioner Smith's review.

Commissioner Katz suggested that the letter be tailored differently to Congressman Shaw because he had been helping in this respect, with the remaining letters being more generic in nature.

**Action:** Letter to be prepared.

6. Legislative Day Breakfast/Lunch

Commissioner Moore inquired about the status of the Legislative Day with the Broward Delegation that had been discussed. He said he had been embarrassed when he had heard from one legislator that he had never been contacted about funding. Commissioner Moore advised that if there was no way to arrange such a meeting, he would like to proceed with a letter-writing campaign or use other methods to address the issues. Mayor Naugle advised that he was working on the CRA issues with the delegation and other cities. He felt there should be a meeting with the City's three Congressmen during the Legislative session break. Commissioner Moore wanted to communicate the City's needs before the session. The City Manager stated that staff was pursuing a meeting with the Broward Delegation during this session, and he would plan a meeting with the Congressmen. Mayor Naugle felt Fort Lauderdale warranted some sort of a joint meeting, but he hoped Commissioners would also continue their individual contacts.

**Action:** As discussed.

7. Dumping

Commissioner Moore stated that there were a lot of problems with illegal dumping, and he asked that the subject be placed on an upcoming agenda. He was concerned about the process, which seemed to take a long time and targeted the property owners rather than those doing the dumping. Commissioner Smith suggested the use of surveillance cameras. Mayor Naugle suggested that staff examine how other communities handled the problem, and he requested a list of the top ten sites where dumping occurred in Fort Lauderdale. He believed the City controlled some of the sites.

Commissioner Moore did not think the City should clear properties at no cost to the property owners, but he did not know how the City justified fees of over \$165. He suggested that some of the people who were "getting dumped on" to attend a Conference meeting to discuss the subject.

Mayor Naugle wanted to hear about opportunities to prosecute those who dumped illegally. He thought it could be handled as a community policing issue. Commissioner Smith believed it was a particular problem in terms of rental properties. Commissioner Moore as more concerned about well-maintained, vacant lots on which people dumped. Commissioner Smith thought the owners could fence the lots. Mayor Naugle pointed out they could not fence swales.

Commissioner Moore stated that when Code Enforcement staff placed orange markings on illegal trash piles, they were not being picked up within 48 hours. Commissioner Smith agreed that had not been happening. Commissioner Moore wanted staff to put a date on the orange markers. It was agreed.

**Action:** As discussed. Orange markers to be dated.

8. 15<sup>th</sup> Avenue at Las Olas and Broward Boulevards

Commissioner Hutchinson requested an update on the funding for the project on 15<sup>th</sup> Avenue at Las Olas and Broward Boulevards. She felt it was time to move forward, particularly as the County seemed to be a willing participant.

**Action:** Update to be provided.

9. Redistricting RFP Committee

Commissioner Hutchinson wanted the Redistricting RFP Committee to continue after a consultant had been selected. She felt the Committee should remain a part of the process and work with the consultant to help facilitate some of the community meetings. Mayor Naugle suggested that the City Manager provide a report as to how this could be accomplished. Commissioner Moore requested a list of the members.

**Action:** Report to be provided.

10. National Neighborhoods USA Conference

Commissioner Hutchinson reported that the National Neighborhoods USA Conference was scheduled for May, and she wanted Engineering staff to provide a nice presentation at the Conference in Houston. She asked the Commission to consider support for sending staff, as the presentations had been so well received at the local conferences.

**Action:** As discussed.

11. Illegal Signs

Commissioner Hutchinson reported that “work at home” signs were appearing in her district as quickly as she could remove them. Mayor Naugle thought an ordinance could be adopted defining such signs as graffiti. He noted that they usually included a phone number, and staff could call and indicate people would be fined if they were not removed within 48 hours, for example. Mayor Naugle noted that signs on utility poles should be removed when they were sighted because that was a violation of the law. Commissioner Moore agreed an ordinance should be adopted to prevent illegal signage. He wondered if the City could impose fines for collecting such signs.

**Action:** Ordinance to be developed.

12. Class Action Suit – Eckerd’s

Mayor Naugle referred to a recent newspaper article about a class action suit involving Eckerd Drug stores. He asked staff to investigate and determine if the City should be a party to the suit.

**Action:** Staff to investigate.

13. Legislation – FPL Substations

Mayor Naugle had received correspondence from the City of Dania Beach about the power companies trying to preempt City control with respect to substations. He was insulted that City's franchisee had filed a bill like this without discussing it with the Commission, and he felt there should be consequences. Commissioner Moore agreed he was as offended as Mayor Naugle.

**Action:** As discussed.

14. Federal Public Safety Funding

Mayor Naugle noted that the President had addressed funding that would be made available for public safety efforts in his State of the Union address. He suggested that a strategy be developed to maximize the opportunity.

**Action:** Staff to develop strategy.

15. Rain Shut Off Devices

Mayor Naugle reported that the County had sent a letter requesting consideration of rain shut-off devices and providing incentives for their use in terms of irrigation systems. Commissioner Smith believed those devices were provided on the new City medians. Mayor Naugle requested a report about how the City was participating. If it was deemed a good idea, he felt there should be a method of encouraging residents to use such devices. Commissioner Hutchinson thought consideration should be given to providing the devices.

**Action:** Report to be provided.

Meeting adjourned at 6:00 P.M.

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.